

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference	<b>FOR FURTHER ACTION</b>	See item 4 below
International application No. PCT/AU2005/000254	International filing date ( <i>day/month/year</i> ) 25 February 2005 (25.02.2005)	Priority date ( <i>day/month/year</i> ) 25 February 2004 (25.02.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant BUCKNELL, John, Wentworth		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |                                     |   |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Box No. I Basis of the report   |
| <input type="checkbox"/>            | Box No. II Priority   |
| <input type="checkbox"/>            | Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input checked="" type="checkbox"/> | Box No. VI Certain documents cited  |
| <input type="checkbox"/>            | Box No. VII Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII Certain observations on the international application  |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

Date of issuance of this report 29 August 2006 (29.08.2006)
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The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer <b>Dorothée Mülhausen</b> e-mail: pt01@wipo.int
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**PATENT COOPERATION TREATY**

From the:  
INTERNATIONAL SEARCHING AUTHORITY

RECD 18 MAY 2005

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**PCT**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year)	11 MAY 2005
Applicant's or agent's file reference		FOR FURTHER ACTION See paragraph 2 below	
International application No. <b>PCT/AU2005/000254</b>	International filing date (day/month/year) <b>25 February 2005</b>	Priority date (day/month/year) <b>25 February 2004</b>	
International Patent Classification (IPC) or both national classification and IPC <b>Int. Cl. 7 F16B 31/04, 39/00; B25B 29/02; F16L 23/036</b>			
Applicant <b>BUCKNELL, John Wentworth</b>			

**1. This opinion contains indications relating to the following items:**

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPBA, the applicant is invited to submit to the IPBA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the IPEA/AU <b>AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929</b>	Authorized Officer <b>JEFFREY CARL Telephone No. (02) 6283 2543</b>
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WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AU2005/000254

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material  
 in written format  
 in computer readable form
  - c. time of filing/furnishing  
 contained in the international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2005/000254

<b>Box No. V</b>	<b>Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</b>
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**1. Statement**

Novelty (N)	Claims 1-15	YES
	Claims	NO
Inventive step (IS)	Claims 1-15	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-15	YES
	Claims	NO

**2. Citations and explanations:**

The following documents identified in the International Search Report have been considered for the purposes of this opinion:

- (i) WO 1993/005306
- (ii) GB 2274893
- (iii) EP 695883

**Novelty (N) and Inventive Step (IS)**

Claims 1-15 meet the criteria set forth in PCT Article 33(2) for novelty. The prior art published before the priority date does not disclose hydraulically assisted fasteners wherein the charging medium which is injected under pressure to tension the fastener solidifies to maintain the tension in the fastener. Claims 1-15 also meet the criteria set forth in PCT Article 33(3) with regard to the requirement for inventive step. The claimed invention is not obvious in the light of any of the cited documents nor is it disclosed in any obvious combination of them. It is also considered that it would not be obvious to a person skilled in the art in the light of common general knowledge either by itself or in combination with any of these documents.

**See also Box VI.1**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2005/000254

**Box No. VI      Certain documents cited**

**1. Certain published documents (Rules 43bis.1 and 70.10)**

Application No. <u>Patent No.</u>	Publication date <u>(day/month/year)</u>	Filing date <u>(day/month/year)</u>	Priority date (valid claim) <u>(day/month/year)</u>
P, A WO 2004/070216 A	19 August 2004	22 April 2003	10 February 2003

With regard to the document(s) listed in Box VI under "certain documents cited", these are documents published prior to the international filing date but later than the priority date claimed but which would otherwise be considered to be of particular relevance.

Under the PCT, novelty is considered only in respect of documents published before the priority date. The relevance of a document published after the priority date is dependent upon national law. Such documents are excluded from consideration in preliminary examination, under the PCT Guidelines but have been included here for information.

See also Box V.2

**2. Non-written disclosures (Rules 43bis.1 and 70.9)**

Kind of non-written disclosure	Date of non-written disclosure <u>(day/month/year)</u>	Date of written disclosure referring to non-written disclosure <u>(day/month/year)</u>